

Customer No.: 31561
Application No.: 10/709,335
Docket No.: 12777-US-PA

REMARKS

Present Status of the Application

Claims 1-14 are pending. Claims 1 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Japanese patent to Kitou et al. (JP 6-163344) (hereinafter Kitou). Claims 2, 5, 9 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kitou in view of Block (US 945,152) (hereinafter Block). Claims 7 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kitou in view of Meyer (US 5,661,872) (hereinafter Meyer).

The Office Action objected claims 3, 4, 6, 10, 11 and 14 as being dependent upon a rejected base claim. Claims 3, 4, 6, 10, 11 and 14 would be allowable if rewritten independent form including all of the limitations of the base claim and any intervening claims.

Applicants submit that independent claim 1 and 8 has been amended, claims 6 and 14 have been canceled, and claims 3 and 10 have been amended for clarification purposes while the other claims remain unchanged as originally filed. For at least the following reasons, Applicant respectfully submits that claims 1-5, 7-13 are in proper condition for allowance. Reconsideration is respectfully requested.

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Discussion of Office Action Rejections

The Office Action has rejected claims 1 and 8 under 35 U.S.C. 102(b) as being anticipated by Japanese patent to Kitou. The Office Action has rejected claims 2, 5, 9 and 12 under 35 U.S.C. 103(a) as being unpatentable over Kitou in view of Block. The Office Action has rejected claims 7 and 13 under 35 U.S.C. 103(a) as being unpatentable over Kitou in view of Meyer. In response thereto, Applicants have amended claims 1 and 8 by adding the feature of claims 6 and 14 respectively, and hereby otherwise traverse these rejections for at least the reasons set forth below.

The features are recited in claim 1. For example, independent claim 1 recited the features.

With respect to claim 1, independent claim 1 recites the features as follows:

1. A tool for removing particles from a reticle, comprising:

...

a supporting member, supporting the two gas spray members
in front of ~~a~~the pellicle particle detector, wherein the supporting
member fixes the tool onto the pellicle particle detector.

... (Emphasis added)

Claim 8 also recite the similar features.

Kitou, Block and Meyer substantially fail to teach or disclose A tool for removing particles from a reticle, comprising: [a supporting member, supporting the two gas spray

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members in front of a pellicle particle detector, wherein the supporting member fixes the tool onto the pellicle particle detector] as required by the proposed independent claims 1 and 8. Kitou, Block and Meyer fail to teach or disclose each and every feature of claims 1 and 8 and therefore Kitou, Block and Meyer cannot possibly anticipate the proposed independent claims 1 and 8 in this regard.

For at least the foregoing reasons, applicant respectfully submits Kitou, Block and Meyer fail to teach or suggest the limitation of "a supporting member, supporting the two gas spray members in front of a pellicle particle detector, wherein the supporting member fixes the tool onto the pellicle particle detector", and thus the references combined do not teach or suggest each and every element claims 1 and 8. Therefore, independent claims 1 and 8 patently define over the prior art references, and should be allowed. For at least the same reasons, dependent claims 2-5, and 7-13 patently define over the prior art as a matter of law, because these dependent claims contain all features of their respective independent claims 1 and 8. *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988).


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CONCLUSION

For at least the foregoing reasons, it is believed that all the pending claims 1-5 and 7-13 of the present application patently define over the prior art and are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

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Respectfully submitted,


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